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भारत निर्वाचन आयोग ELECTION COMMISSION OF INDIA

निर्वाचन सदन, अशोक रोड, नई दिल्ली-110001

Nirvachan Sadan, Ashoka Road, New Delhi-110001

No. 76/LKD-PC/01/2024/CEMS-II

Dated: 29th October, 2024
07 Kartika, 1946 (Saka)

ORDER

WHEREAS, the General Election to Parliamentary Constituency of Lakshadweep, 2024 for 01-Lakshadweep (ST) Parliamentary Constituency was held in pursuance of the Election Commission of India Notification No. O.N. 59(E), dated 20th March, 2024; and

WHEREAS, as per Section 78 of the Representation of the People Act, 1951, every contesting candidate at an election shall, within 30 days from the date of election of the returned candidate, lodge with the District Election Officer an account of his/her election expenses which shall be a true copy of the account kept by him/her or his/her election agent under Section 77 of the said act; and

WHEREAS, the result of the election for **01-Lakshadweep (ST)** Parliamentary Constituency of Lakshadweep, 2024 was declared by the Returning Officer on 04th June, 2024 and hence the last date for lodging the account of Election Expenses was 03rd July, 2024; and

WHEREAS, as per the report dated 04.07.2024 of **DEO, Lakshadweep** under sub-rule (1) of Rule 89 of the Conduct of Elections Rules, 1961 received through the CEO, Lakshadweep vide his letter no. 16/04/2024 – Elc/233, dated 05.07.2024 stating that **Yousuf T P**, a contesting candidate from **01-Lakshadweep (ST)** Parliamentary Constituency in General Election to Parliamentary Constituency of Lakshadweep, 2024 has failed to lodge the account of his election expenses, as required under law; and

WHEREAS, on basis of the said report of the District Election Officer, **Lakshadweep** a Show-Cause notice No. 76/LKD-PC/01/2024/CEMS-II, dated 29th July, 2024 was issued under sub rule (5) of Rule 89 of the Conduct of Elections Rules, 1961 by the Election Commission of India to **Yousuf T P**, for not lodging of the account of Election Expenses; and

WHEREAS, through the above said Show Cause Notice and under sub rule (6) of Rule 89 of the Conduct of Elections Rules, 1961, **Yousuf T P** was directed to submit representation in writing to the Commission explaining the reasons for not lodging the account and also to lodge the account of his election expenses with the District Election Officer, **Laksahdweep** District within 20 days from the date of receipt of the notice; and

WHEREAS, the CEO, **Laksahdweep** in his report no. 16/23/2024-Elc; dated 30.08.2024 has reported that the said Show Cause Notice was served to Junaid T.P (brother of Yousuf T P) on **08.08.2024**; and

WHEREAS, the District Election Officer, **Lakshadweep** in his Supplementary Report no. 16/23/2024-Elc dated 16.10.2024 on account of candidate received through CEO, **Laksahdweep** letter No. 16/23/2024-Elc/241; dated 16.10.2024 has reported that **Yousuf T P** has not submitted any representation or statement of account of election expenses. Further, after receipt of the said notice, **Yousuf T P** has neither furnished any reason nor explanation to the Election Commission of India for failure to lodge the account of his election expenses as prescribed under law; and

WHEREAS, Section 10A of the Representation of the People Act, 1951 provides that:-

“If the Election Commission is satisfied that a person-

- (a) has failed to lodge an account of election expenses within the time and in the manner required by or under this Act, and*
 - (b) has no good reason or justification for the failure,*
- the Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.”;*

WHEREAS, on basis of the facts and available records, the Commission is satisfied that **Yousuf T P** has failed to lodge the account of his election expenses and has no good reason or justification for the failure to do so; and

NOW, THEREFORE, in pursuance of Section 10A of the Representation of the People Act, 1951, the Election Commission of India hereby declares **Yousuf T P**, resident of **Thiruvathapura House, Kadmat Island, Lakshadweep** and a contesting candidate from **01-Lakshadweep (ST)** Parliamentary Constituency of G.E. to PC of Lakshadweep, 2024, to be disqualified for being chosen as and for being a member of either House of the Parliament or the Legislative Assembly or the Legislative Council of a State or Union Territory for a period of three years from the date of this order.

Sd/-

(SUJEET KUMAR MISHRA)
SECRETARY

No. 76/LKD-PC/01/2024/CEMS-II

Dated: 29th October, 2024

1. The Manager, Government of India Press, Mayapuri, Ring Road, New Delhi - with a request that the said order of the Commission along with the Hindi version may be published in the next issue of the Gazette of India, Part II, Section 3(iii). It is also certified that the content of the files of PDF and Word Documents uploaded on the portal are same. (By Portal)
2. The Chief Electoral Officer, Lakshadweep with a request that the Commission's order may please be published in the next issue of the State Gazette. Three copies of Gazette containing the said order may be forwarded to the Commission as soon as it is published. **(By Speed Post)**
3. The District Election Officer, Lakshadweep, Election Department, UT of Lakshadweep, Kavarati-682555, Lakshadweep, with two spare copies of the order with the request that one copy of the order may be exhibited on the notice board. The person concerned may please be informed on the contents of the Commission's order. **(By Speed Post)**
4. The contesting candidate referred in the order. **(By Speed Post):**
Yousuf T P,
Thiruvanthapura House, Kadmat Island, Lakshadweep-682556.
5. CEMS-I Section

Sd/-

(SUJEET KUMAR MISHRA)
SECRETARY